

**HAWAII STATE**

**HOUSE OF REPRESENTATIVES**

**REGULAR SESSION OF 2011**

***ROUGH DRAFT  
JOURNAL***

**FIFTY-THIRD DAY  
APRIL 21, 2011**

**OFFICE OF THE CHIEF CLERK**

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## FIFTY-THIRD DAY

Thursday, April 21, 2011

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2011, convened at 11:39 o'clock a.m., with the Speaker presiding, after which the Roll was called showing all Members present with the exception of Representatives Awana, Jordan, M. Oshiro and Pine.

On motion by Representative Evans, seconded by Representative Thielen and carried, reading of the Journal was dispensed with and the Journal of the Twenty-Sixth Day was approved, with Representatives Jordan, M. Oshiro and Pine being excused.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 652 through 655) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 652, dated April 20, 2011, informing the House that the Senate has on April 19, 2011, reconsidered its action taken on April 14, 2011, in disagreeing to the amendments proposed by the House to the following Senate Bills and have moved to agree to the amendments, and that said bills have this day passed Final Reading:

S.B. No. 921, SD 2, HD 3  
 S.B. No. 1076, SD 1, HD 3  
 S.B. No. 1241, SD 1, HD 1  
 S.B. No. 1281, SD 1, HD 1  
 S.B. No. 1291, SD 2, HD 2  
 S.B. No. 1386, SD 1, HD 1  
 S.B. No. 1417, SD 1, HD 1  
 S.B. No. 1491, SD 1, HD 1  
 S.B. No. 1559, SD 2, HD 2

Sen. Com. No. 653, dated April 20, 2011, informing the House that the President has made the following changes to Senate Conferee assignments for the following Bills:

S.B. No. 570, Senator Hee added as Co-Chair.  
 SD 2, HD 1  
 S.B. No. 756, Senator Kim added as conferee.  
 SD 2, HD 1  
 S.B. No. 1278, Senator Solomon added as conferee.  
 SD 1, HD 2  
 S.B. No. 1483, Senator Galuteria added as conferee.  
 SD 1, HD 1

Sen. Com. No. 654, dated April 20, 2011, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 34 Hee, Chair; Ige, Co-Chair; Ihara, Shimabukuro,  
 SD 1, HD 1 Sloom

Sen. Com. No. 655, dated April 20, 2011, informing the House that the Senate has on April 19, 2011, reconsidered its action taken on April 12, 2011, in disagreeing to the amendments proposed by the House to the following Senate Bills and have moved to agree to the amendments, and that said bills have this day passed Final Reading:

S.B. No. 1342, SD 1, HD 1

## INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Manahan introduced friends celebrating Aloha Aina Earth Day, Dr. Ruth Mabanglo, Ms. Liz Kiai, Ms. Cat Sawai and Ms. Nobuko Todd.

Representative Riviere introduced his friends from Los Angeles, Mr. Manny and Mrs. Irma Acosta; and their children, Ms. Brooke Acosta and Mr. Carson Acosta.

## ORDER OF THE DAY

## REPORTS OF STANDING COMMITTEES

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1742) recommending that S.C.R. No. 44, SD 1, as amended in HD 1, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.C.R. No. 44, SD 1, HD 1, be adopted, seconded by Representative Evans.

Representative Cabanilla rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I am in strong support of this resolution. Since we passed Act 212 into law last year, the State is now in receipt of \$7 million in federal funds. I would like to thank this Body for passing the bill, which was a hard sell at the time. Housing First programs have been shown nationwide to dramatically reduce governmental spending on homelessness. By first providing housing for the chronically homeless, many exorbitant costs, such as emergency room visit, unnecessary jail stays, child protective service visits and on-going shelter costs can be avoided.

"Mr. Speaker, Housing First will save the State money by first handling the most basic need, which will ameliorate unnecessary additional costs. Also, it will get the chronically homeless off of Downtown sidewalks, which will improve the health, safety and the appearance of our city.

"Mr. Speaker, colleagues, please support this resolution."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 44, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING FURTHER IMPLEMENTATION OF HOUSING FIRST PROGRAMS AND SERVICES TO COMBAT CHRONIC HOMELESSNESS," was adopted, with Representatives Jordan, and M. Oshiro being excused.

## REPORTS OF CONFERENCE COMMITTEES

Representatives Souki, Herkes and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 98, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 1) recommending that S.B. No. 98, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 1 and S.B. No. 98, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER CARRIERS," was deferred for a period of 48 hours.

### SUSPENSION OF RULES

At this time, the Chair stated:

"Members, the Chair at this time has discharged House Conferees previously appointed to House Bill No. 49, House Draft 1, Senate Draft 1; House Bill No. 397, House Draft 2, Senate Draft 2; and House Bill No. 915, House Draft 2, Senate Draft 2. So the Chair has discharged the House Conferees on the respective House Bills that I've just stated for you."

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to certain House Bills. (Representatives Jordan and M. Oshiro were excused.)

### RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House Bills, seconded by Representative Evans and carried: (Representatives Jordan and M. Oshiro were excused.)

H.B. No. 49, HD 1, (SD 1)  
H.B. No. 320, HD 2, (SD 1)  
H.B. No. 397, HD 2, (SD 2)  
H.B. No. 915, HD 2, (SD 2)  
H.B. No. 1093, HD 1, (SD 2)

### LATE INTRODUCTIONS

The following late introduction was made to the Members of the House:

Representative Ito introduced the 4th grade students of the Koolau Baptist Academy. They were accompanied by their teacher, Mrs. Cynthia Williams; and chaperones, Mr. Jason Lee and Mr. Paul Swider.

Students – Chaz Ciacci; Chloe Dijos; Jenny Ellis; Ethan Finau; Kamu Kalahiki; Joshua Kresnak; Cody Lee; Dani Sur; Jean-Paul Swider; Brenna Walch; and Megan Welles.

### ANNOUNCEMENTS

Representative Ward: "Thank you, Mr. Speaker. Also in celebration of Earth Day as the Vice Speaker indicated, I'm pleased to announce to the Members and to the young people in the gallery. There's going to be a Ka Iwi cleanup this Saturday, April 23 at 9:30 at the Alan Davis Wall which is just near the stoplight at Kalama Valley. So we're trying to keep it clean, keep that pristine East Coast the way it was intended. Thank you, Mr. Speaker."

Representative M. Lee, for the Committee on Finance requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measures on Thursday, April 21, at 1:30 p.m. in Conference Room 308, and the Chair "so ordered."

SCR 2, SD 1, authorizing the issuance of a non-exclusive easement covering a portion of State submerged lands;  
SCR 28, SD 2, requesting the establishment of a prompt payment task force;  
SCR 124, SD 2, requesting the urging of convening of task forces to develop community benefits packages for neighborhoods;  
SCR 159, SD 2, urging the Department of Hawaiian Homelands to release pastoral and agricultural leases; and  
SCR 134, SD 1, requesting the convening of a working group to investigate the creation of a locally focused Hawaii based stock exchange.

At 11:51 o'clock a.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:53 o'clock a.m.

### COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

<u>S.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
233, SD2, HD1	Committee on Health, then to the Committee on Finance
1270, SD2, HD1	Committee on Finance
 <u>S.C.R.</u> <u>No.</u>	 <u>Re-referred to:</u>
159, SD2	Committee on Finance

### ADJOURNMENT

At 11:53 o'clock a.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 11:30 o'clock a.m. Monday, April 25, 2011. (Representatives Jordan and M. Oshiro were excused.)

### HOUSE COMMUNICATIONS

House Communication dated April 21, 2011, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 306, HD 1, SD 2	M. Oshiro, Chr.; Chong, Choy, M. Lee, Marumoto
H.B. No. 793, SD 1	M. Oshiro, Chr.; Chong, Choy, M. Lee, Marumoto
H.B. No. 1039, HD 1, SD 2	Souki/M. Oshiro, Co-Chrs.; Chong, Choy, Ichiyama, M. Lee, Johanson
H.B. No. 1092, HD 1, SD 3	M. Oshiro, Chr.; Chong, Choy, M. Lee

House Communication dated April 21, 2011, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bills:

S.B. No. 120, SD 1, HD 1	M. Oshiro, Chr.; Chong, Choy, M. Lee, Ward
S.B. No. 233, SD 2, HD 1	Yamane/M. Oshiro, Co-Chrs.; M. Lee, Ward

S.B. No. 570, M. Oshiro, Chr.;  
SD 2, HD 1 Chong, Choy, M. Lee

S.B. No. 741, M. Oshiro, Chr.;  
SD 1, HD 1 Chong, Choy, M. Lee, Riviere

S.B. No. 754, M. Oshiro, Chr.;  
SD 1, HD 1 Chong, Choy, M. Lee, Riviere

S.B. No. 756, M. Oshiro, Chr.;  
SD 2, HD 1 Chong, Choy, M. Lee, Marumoto

S.B. No. 1186, M. Oshiro, Chr.;  
SD 2, HD 1 Chong, Choy, M. Lee, Riviere

S.B. No. 1270, M. Oshiro, Chr.;  
SD 2, HD 1 Chong, Choy, M. Lee, Marumoto

House Communication dated April 21, 2011, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 1355, McKelvey/M. Oshiro, Co-Chrs.;  
SD 1, HD 2 Chong, Choy

House Communication dated April 21, 2011, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

S.B. No. 1086, Added Representative Mizuno as a member.  
SD 1, HD 2

House Communication dated April 21, 2011, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 14, 2011, and gives notice of intent to agree to the following House Bills:

H.B. No. 49, HD 1, SD 1  
H.B. No. 320, HD 2, SD 1  
H.B. No. 397, HD 2, SD 2  
H.B. No. 915, HD 2, SD 2  
H.B. No. 1093, HD 1, SD 2